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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERRENCE DAVIS, on behalf of himself
 and all others similarly situated,

Plaintiffs,

v.

MICHAEL J. ASTRUE, Commissioner of the
 Social Security Administration,

Defendant

CIVIL ACTION No.: 3:06-CV-6108 MHP

~~PROPOSED~~ ORDER AND
 STIPULATION FOR ORDER ENLARGING
 TIME FOR FILING PLAINTIFF'S
 AMENDED COMPLAINT AND MOTION
 FOR CERTIFICATION AND FOR FILING
 DEFENDANT'S RESPONSIVE
 PLEADINGS [L.R. 6-1(b), 6-2]

Pursuant to Civil Local Rules 6-1(b)¹ and 6-2, the parties stipulate that the Court-ordered dates to amend the Second Amended Complaint and file the Motion for Certification of Class Action be extended for sixty (60) days to no later than **July 21, 2008**, and to **July 31, 2008**, respectively. Defendant will file its responsive pleading to Plaintiff's amended complaint and opposition to motion for certification no later than **September 29, 2008**. Plaintiff's reply brief in support of his motion for class certification will be filed no later than **October 10, 2008**.

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¹ The parties agree that the ten-day requirement in L.R. 6-1(b) is waived.

1 The hearing date for the motion for class certification will be noticed for **November 3,**
2 **2008.** If there is a motion to dismiss the amended complaint filed, it will be noticed for
3 **November 3, 2008.**

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6 This request is made to allow Plaintiff's counsel and Cotchett, Pitre and McCarthy to
7 continue discussing the case and execute an association agreement.

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9 Respectfully submitted,

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11 _____/s/

12 Date: May 21, 2008

Steven Bruce, Attorney for Plaintiffs

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14 _____/s/

15 Date: May 21, 2008

Andrew Cheng, Attorney for Defendant

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~~[Proposed]~~ Order

The Court, having considered the stipulation of the parties, hereby orders that:

1. The time for Plaintiffs to file an amended complaint be extended to **July 21, 2008**;
2. The time for Plaintiffs to file the Motion for Certification of Class Action be extended to **July 31, 2008**;
3. The time for Defendant to file a responsive pleading to Plaintiffs' amended complaint will be no later than **September 29, 2008**;
4. The time for Defendant to file its Opposition to Plaintiffs' Motion for Certification of Class Action no later than **September 29, 2008**;
5. Plaintiff's reply brief in support of his motion for certification will be due on **October 10, 2008**;
6. The hearing dates for the motion for class certification and for any motion to dismiss filed by defendant will be **November 3, 2008**; and
7. The ten-day requirement of Local Rule 6-1(b) is waived.

IT IS SO ORDERED.

Date: 5/22/2008

